



PATENT
Attorney Docket **056707-5005-01**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: Glenn <i>et al.</i> |) | |
| |) | |
| Application No. 10/658,418 |) | Art Unit: 1644 |
| |) | |
| Filed: September 10, 2003 |) | Examiner: Huynh, P. |
| |) | |
| For: Indicators for Monitoring the Technique of |) | |
| Transcutaneous Immunization |) | |

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97(b)

Pursuant to 37 C.F.R. 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 forms. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due with the filing of this paper.

The present application is a continuation application of U.S. Application No. 09/585,559 (filed June 2, 2000), which is a continuation-in-part application of U.S. Application No. 09/257,188 (filed February 25, 1999), which is a continuation-in-part application of International Application No. PCT/US97/21324 (filed November 14, 1997), which is a continuation-in-part application of U.S. Application No. 08/896,085 (filed July 17, 1997) now U.S. Patent 5,980,898 (issued November 9, 1999), which is a continuation-in-part application of U.S. Application No. 08/749,164 (filed November 14, 1996) now U.S. Patent 5,910,306 (issued June 8, 1999). Application No. 09/585,559 claims the benefit of U.S. Provisional Application No. 60/137,790, filed June 3, 1999. The Examiner's attention is respectfully directed to the art of record in these prior applications.

An Information Disclosure Statement for U.S. Application No. 09/585,559 was filed on January 3, 2002. A copy of the PTO-1449 form filed with this Information Disclosure Statement is attached. Also attached is a form PTO-1449 listing the references cited by the Examiner during prosecution of the parent application. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. This submission does not represent that a search has been made or that no

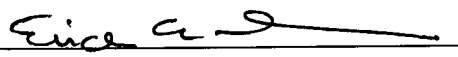
better art exists and does not constitute an admission that each or all of the listed documents are material or constitute prior art. If the Examiner applies any one of the documents as prior art against any claim in the application, and Applicants determine that the cited document does not constitute prior art under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **January 27, 2004**
Morgan, Lewis & Bockius LLP
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202-739-3000

Respectfully submitted,
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**INFORMATION DISCLOSURE
CITATION**

ATTY. DOCKET NO.

APPLN. NO.

056707-5005-01

10/658,418

APPLICANT

GLENN et al.

FILING DATE

GROUP

September 10, 2003

1644

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|----------------------|-----------------|---------|--------------|-------|----------|-------------------------------|
| AR | 4,152,412 | 05/1979 | Brewer | | | |
| BR | 5,667,798 | 09/1997 | Royds et al. | | | |
| CR | | | | | | |
| DR | | | | | | |
| ER | | | | | | |
| FR | | | | | | |
| GR | | | | | | |
| HR | | | | | | |
| IR | | | | | | |
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| NR | | | | | | |
| OR | | | | | | |
| PR | | | | | | |
| QR | | | | | | |
| RR | | | | | | |
| SR | | | | | | |

FOREIGN PATENT DOCUMENTS

| | DOCUMENT | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION YES NO |
|----|-------------|---------|---------|-------|----------|-----------------------|
| TR | WO 98/20734 | 05/1998 | WIPO | | | |
| UR | 1 600 332 | 07/1970 | France | | | X |
| VR | | | | | | |
| WR | | | | | | |
| XR | | | | | | |
| YR | | | | | | |
| ZR | | | | | | |

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

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|-----|---|
| AAR | Glenn et al., "Transcutaneous Immunization with Bacterial ADP-Ribosylating...", Infection and Immunity, Vol. 67, No. 3, pgs. 1100-1106, XP-002110054 (March 1999) |
| BBR | Glenn et al., "Skin Immunization Made Possible by Cholera Toxin", Nature, Vol. 391, No. 6670, pg. 851, XP-002110053 (February 1998) |
| CCR | Matter Hans C., "Test of Three Bait Types for Oral Immunization of Dogs Against Rabies in Tunisia", Accession No. PREV199598430950, XP-002156999 (1995) |
| DDR | |
| EER | |
| FFR | |

*Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

PTO Form 1449Attorney Docket
056707-5005-01Application No.
10/658,418Applicant: **Gregory M. Glenn *et al.*****Page 1 of 1**Filing Date: **September 10, 2003**Group Art Unit: **1644****U.S. PATENT DOCUMENTS**

| Initial | | Document No. | Date | Name | Class | Sub-Class | Filing Date |
|---------|----------|------------------|-------------------|-----------------------------|------------|--------------|----------------------|
| | 1 | 5,980,898 | 11/09/1999 | Glenn <i>et al.</i> | 424 | 184.1 | July 17, 1997 |
| | 2 | 6,180,136 | 01/30/2001 | Larson <i>et al.</i> | 424 | 450 | Nov. 10, 1998 |
| | 3 | 4,834,985 | 05/30/1989 | Elger <i>et al.</i> | 424 | 488 | May 19, 1987 |

FOREIGN PATENT DOCUMENTS

| | | Document No. | Date | Country | Class | Sub-Class | Translation |
|--|--|--------------|------|---------|-------|-----------|-------------|
| | | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

| | | |
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| | 4 | Iizuka <i>et al.</i> (1981) Two simple methods for evaluation of topically active anti-inflammatory steroidal ointments, Agents Actions 11(3):254-259, Basel Birkhauser Verlag. |
| | 5 | Glenn <i>et al.</i> (1999) Transcutaneous immunization with bacterial ADP-Ribosylating exotoxins as antigens and adjuvants, Infect. Immun. 67(3):1100-1106, American Society for Microbiology, Washington, D.C., USA |

Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.